

ILLINOIS COMMERCE COMMISSION

DOCKET NO. 15-0252

REBUTTAL TESTIMONY

OF

L. CAMERON ALDEN, JR.

Submitted on Behalf

of

AQUA ILLINOIS, INC.

July 14, 2015

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7 **I. INTRODUCTION**

8 **Q. Please state your name, business address and present position.**

9 **A. My name is L. Cameron Alden, Jr. My business address is 1000 South Schuyler**
10 **Avenue, Kankakee, Illinois, 60901. I am Regional Engineer for Aqua Illinois, Inc. (Aqua or**
11 **the Company).**

12 **Q. Are you the same L. Cameron Alden, Jr. who sponsored direct testimony in this**
13 **proceeding?**

14 **A. Yes, I am.**

15 **II. PURPOSE AND SCOPE**

16 **Q. What is the purpose of your rebuttal testimony?**

17 **A. The purpose of my rebuttal testimony is to respond to the recommendations to Aqua in**
18 **the direct testimony of Illinois Commerce Commission Staff witness Mr. William H. Atwood**
19 **(ICC Staff Ex. 1.0).**

20 **Q. Are you sponsoring any exhibits with your rebuttal testimony?**

A. Yes. I am sponsoring the following exhibits, some of which are updates to prior Aqua exhibits:

- Aqua Exhibit 2.1 – List of parcels for which Aqua seeks eminent domain authority;
- Aqua Exhibit 2.2 – Map of parcels in which Aqua needs land rights for the main;
- Aqua Exhibit 2.3 – Updated summary of material landowner contacts; and
- Aqua Exhibit 2.4 (Confidential – Contains Terms of Negotiations) – Updated summary of compensation offers.

III. RESPONSE TO STAFF WITNESS MR. ATWOOD’S RECOMMENDATIONS

Q. What are Mr. Atwood’s recommendations to Aqua in his direct testimony?

A. He has four. He recommends that, with its rebuttal testimony, Aqua: (1) continue its negotiation efforts to acquire the necessary land rights to construct the water transmission main; (2) provide an updated list of parcels that it is continuing to request eminent domain authority for that removes the parcels for which Aqua no longer requests eminent domain authority for; (3) provide an updated Aqua Exhibit 1.6 – Summary of material landowner contacts; and (4) provide an updated Aqua Exhibit 1.7 – Summary of compensation offers.

Q. Will Aqua continue its negotiation efforts to acquire the necessary land rights to construct the water transmission main?

A. Yes. Aqua has continued negotiations with landowners during the course of this proceeding, and it will continue negotiations with landowners in the future and notwithstanding an order from the Commission. However, despite those ongoing negotiations, Aqua cannot be assured that it will reach negotiated resolutions with all landowners in a timely manner and without causing delay in construction of the main. It is

my understanding, although I am not an attorney, that although the Commission encourages utilities and landowners to reach negotiated agreements, the Commission has granted eminent domain authority to utilities that commit to continuing reasonable negotiations, recognizing that continued negotiations may not be fruitful in a timely manner.

Q. Has Aqua provided an updated list of parcels that it is continuing to request eminent domain authority for?

A. Yes. Aqua Exhibit 2.1 (updated Petition Exhibit C) is an updated list of the 57 parcels for which Aqua currently requests eminent domain authority. The list excludes: (1) 11 parcels for which Aqua has a signed easement agreement as of July 14, 2015; (2) all parcels north of Pauling Road in Monee Township Section 28; and (3) 3 parcels identified as owned by the Illinois Department of Transportation – Division of Aeronautics. Aqua does not seek eminent domain authority for those parcels. Aqua Exhibit 2.2 (updated Aqua Exhibit 1.5) is an updated map that shows the 57 parcels (in light purple and yellow).

Q. Has Aqua provided an updated Aqua Exhibit 1.6 – Summary of material landowner contacts?

A. Yes. Aqua Exhibit 2.3 is an update to Aqua Exhibit 1.6 through July 14, 2015 that summarizes the material contacts that Aqua has had with each landowner, as well as the method of each contact, in Aqua's efforts to acquire the land rights that it needs for the main.

Q. Has Aqua provided an updated Aqua Exhibit 1.7 – Summary of compensation offers?

A. Yes. Aqua Exhibit 2.4 (Confidential – Contains Terms of Negotiations) is an update to Aqua Exhibit 1.7 through July 14, 2015 that summarizes Aqua's offers of compensation,

68 including counteroffers, for the easements that it needs to construct the water transmission
69 main.

70 **IV. CONCLUSION**

71 **Q. Does this conclude your rebuttal testimony?**

72 **A. Yes.**